

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

No. C91-110

v.

Robert H. Briden, M.D.

CONSENT ORDER

Pursuant to Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended, complaints were filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") charging Robert H. Briden, M.D., Respondent, with violations of Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended. Investigations were conducted by Investigating Committee I, so called, of the Board.

Investigating Committee I reported their evaluations and recommendations to the Board. The report was reviewed by the Board and it recommended further action. The following constitutes the finding of Facts with respect to the professional performance of the Respondent:

Findings of Facts

1. On August 8, 1991, the Respondent and the Rhode Island Department of Health, Division of Drug Control, Board of Pharmacy, entered into a Consent Agreement whereby the Respondent surrendered his Controlled Substances Registration.
2. The basis for the surrender of his Controlled Substances Registration was that the Respondent engaged in the following acts in violation of R.I.G.L. (1989 Reenactment) Title 21, Chapter 28:
 - A. Failed to maintain controls against diversion of Controlled Substances.
 - B. Failed to maintain records of Controlled

substances dispensed.

C. Post dated and failed to date prescriptions.

3. The Board of Medical Licensure and Discipline requested the Respondent to furnish the Board with his reply to the charges cited above as they relate to the professional conduct of a physician licensed under the General Laws of the State of Rhode Island.

4. The Respondent failed to furnish the Board, its chief administrative officer, investigator, or representatives, information legally requested by the Board.

5. The Respondent's actions constitute unprofessional conduct in violation of Rhode Island General Laws 5-37-5.2 (19), (23), and (26).

The parties agree as follows:

(1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license No. 6384.

Respondent's mailing address is 15 Bleach St., West Warwick, Rhode Island 02816

(2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

(3) Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee I of the Board and is subject to the final approval of the Board. This Consent Order is not binding on respondent until final ratification by the Board.

(4) Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and

- e. The right to further procedural steps except for specifically contained herein;
 - f. Any and all rights of appeal of this Consent Order;
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
 - h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
 - i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.
- (5) If the Consent Order is not accepted by the Respondent, the Investigating Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, an Administrative Hearing will be scheduled. A Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee is described by statute. If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board. It shall be published as the Board, in its exercise of its discretion, shall determine.

(8) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

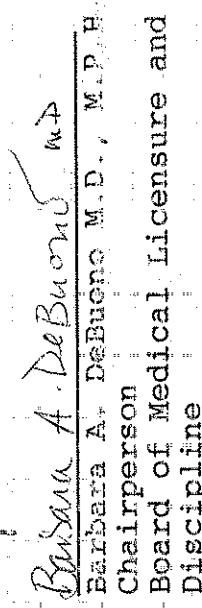
(9) Respondent accepts the Board's finding of unprofessional conduct. The Respondent voluntarily surrenders his license to practice medicine in the State of Rhode Island. This sanction is in accordance with the provisions of Rhode Island General Laws 5-37-6.3
(10) Respondent may petition the Board for reinstatement of his license to practice medicine two years from the date of ratification of this Consent Order.

Signed this 3rd day of February, 1991.



Robert H. Briden, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on 19 February 1991.



Barbara A. DeBueno, M.D., M.P.H.
Chairperson
Board of Medical Licensure and
Discipline